



City of Dublin

Office of the City Manager

5200 Emerald Parkway • Dublin, OH 43017-1090
Phone: 614-410-4400 • Fax: 614-410-4490

Memo

To: Members of Dublin City Council

From: Marsha I. Grigsby, City Manager *MLG*

Date: September 19, 2013

Initiated By: Steve Langworthy, Director Land Use and Long Range Planning
Paul Hammersmith, P.E., Director of Engineering/City Engineer
Gary P. Gunderman, Planning Manager
Barbara Cox, P.E., Engineering Manager – Development

Re: Resolution 55-13 - A Resolution adopting a Statement of Services for a Proposed Annexation of 4.6 acres More or Less from Washington Township, Franklin County by Jackson B. Reynolds, III, agent for Petitioner Jay B. Eggspuehler, 7250 Coffman Road, Dublin, Ohio 43017 (Case No. 13-098 ANEX)

Resolution 56-13 - A Resolution Adopting a Statement Regarding Possible Incompatible Land Uses And Zoning Buffer for a Proposed Annexation of 4.6 Acres, More Or Less, from Washington Township, Franklin County to the City of Dublin, Ohio as Required by Section 709.023(C) of the Ohio Revised Code.

Request from applicant for Fee Waiver for annexation petition processing

Background

On September 9, 2013, agent Jackson B. Reynolds, III filed an annexation petition on behalf of Jay B. Eggspuehler 7250 Coffman Road, Dublin, Ohio 43017. The petition is for 4.6 acres, more or less of land, in Washington Township, located east of Coffman Road adjacent to the Woods of Indian Run subdivision. The petition was filed pursuant to R.C. 709.023, the "Expedited Two" annexation method.

Under this process, the City must adopt an ordinance or resolution relating to municipal services within 20 days after the petition is filed. Within 20 days after the petition is filed, the City must also adopt an ordinance or resolution relating to land uses and zoning buffers, if the territory proposed to be annexed is currently subject to either county or township zoning. Resolutions Nos. 55-13 and 56-13 have been prepared for these purposes and for your consideration.

The Franklin County Commissioners will grant the proposed annexation, without a hearing, if neither the municipality nor the township object to the annexation by ordinance or resolution within 25 days after the petition is filed. If neither the municipality nor the township object, the Commissioners must grant the proposed annexation without a hearing, if certain criteria established in R.C. 709.023 have been met.

This proposed annexation is for 4.6 acres, more or less, and includes no right-of-way.

Fee Waiver

The applicant has requested that the City waive the annexation fees of \$3,700. The staff supports this request in keeping with some previous City annexations where property in a township island was proposed for annexation.

Background

ZONING

The current Washington Township zoning classification for this property is R-SR Suburban Residential District, which allows for single-family housing on larger lots. Upon annexation, the property will be automatically zoned R Rural District, under the Zoning Code of the City of Dublin. This would allow up to four single-family residences on this property.

The adjacent properties are parcels similar to this application -- large lots stretching from Coffman Road to the North fork of the Indian Run Creek, with some parcels vacant and some with single-family homes. This application does not include annexation of the area adjacent to Coffman Road where an existing single-family home is located.

FUTURE DEVELOPMENT AND COMMUNITY PLAN

The Community Plan anticipated annexation of this area. The adopted Future Land Use Map calls for Residential Medium Density development for this area.

This site is currently vacant.

SERVICE ASSESSMENT

- **POLICE PROTECTION**

The City of Dublin has five police districts and deploys a minimum of five cruisers. The subject annexation is located 1.3 driving miles from the Justice Center, the Division of Police headquarters. The City of Dublin provides police and communications services on a 24-hour basis and has mutual aid agreements with other jurisdictions. The annexation area will be fully served with police and communications services at the same or similar level now being provided to other areas of the City with similar land use and population.

- **FIRE PROTECTION AND EMERGENCY MEDICAL SERVICE (EMS)**

The Washington Township Fire Department provides fire protection to this area of Dublin and already provides service to the subject property. The closest station is located 1.2 miles away on Brand Road. The annexation area will be fully served with fire and EMS services at the same or similar level now being provided to other areas of the City with similar land use and population.

- **SOLID WASTE COLLECTION**

The City of Dublin provides residential solid waste collection at no additional fee.

- **WATER DISTRIBUTION**

The property is located within Dublin's exclusive annexation area of the Water Service Agreement with the City of Columbus. Currently, the nearest public water in the City of Dublin

is located at the terminus of Nature Drive. This eight-inch line should be extended through any proposed development.

- **SANITARY SEWER (WASTEWATER) COLLECTION**

The property is located within Dublin's exclusive annexation area within the Sanitary Service Agreement with the City of Columbus. This property is located within the tributary area of the North Fork Indian Run trunk sewer. A 24-inch sewer runs along the rear of the lots of the Indian Run subdivision and will provide sanitary sewer service to the property.

- **STORMWATER MANAGEMENT AND FLOODPLAIN**

This property is located in the North Fork Indian Run watershed as defined by the Stormwater Master Plan. The property slopes from west to east and is adjacent to the North Fork Indian Run waterway. Any development of this property will be required to meet the requirements of the Stormwater Regulations (Chapter 53).

The eastern portion of this property is located within the FEMA-designated floodplain for the North Fork Indian Run. Any development of this property within the floodplain boundaries will be required to meet the Floodplain Control regulations (Chapter 151).

- **ROADS AND STREETS**

The primary roads serving this acreage are Coffman Road, Forest Run Drive, and Nature Drive stub street north into the property, all existing streets. Nature Drive is currently within the jurisdiction of the City of Dublin for management and maintenance purposes. Any new roads or streets, which would be dedicated to the City within a proposed development would be maintained to the same degree and extent that these public facilities are maintained in areas with similar land use and population.

Recommendation

Staff recommends approval of the resolutions regarding the Statement of Services and Possible Incompatible Land Uses and approval of a motion for a fee waiver. Upon City Council's approval, these resolutions will be forwarded to the Franklin County Commissioners for their consideration of the annexation of the 4.6 acres, more or less, from Washington Township to the City of Dublin.

Eggspuehler Annexation September 2013



RECORD OF RESOLUTIONS

Dayton Legal Blank, Inc., Form No. 30045

55-13

Resolution No. _____

Passed _____

, 20____

A RESOLUTION ADOPTING A STATEMENT OF SERVICES FOR A PROPOSED ANNEXATION OF 4.6 ACRES, MORE OR LESS, FROM WASHINGTON TOWNSHIP, FRANKLIN COUNTY, TO THE CITY OF DUBLIN

WHEREAS, an Expedited Type II annexation petition for 4.6 acres, more or less, from Washington Township, Franklin County to the City of Dublin was filed in the offices of the Franklin County Commissioners on September 9, 2013 by Jackson B. Reynolds, III, agent for Petitioner Jay B. Eggspuehler, 7250 Coffman Road, Dublin, Ohio 43017 ; and

WHEREAS, Section 709.023(C) of the Ohio Revised Code requires that, prior to the hearing of the annexation petition, the legislative authority shall adopt a statement indicating what services the municipal corporation will provide to the territory proposed for annexation and an approximate date by which it will provide services to the territory proposed for annexation, upon annexation; and

WHEREAS, the area proposed for annexation lies within Dublin's exclusive water and sewer service extension area, as provided under the agreements with the City of Columbus; and

WHEREAS, the proposed annexation is in conformance with the annexation expectations of the City Community Plan.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Dublin, _____ of its elected members concurring, that:

Section 1. The City of Dublin will provide the following municipal services for the 4.6 acres, more or less in Washington Township, Franklin County immediately upon the annexation of the area to the City of Dublin, Ohio:

Police. The City of Dublin has five police districts and deploys a minimum of five cruisers. The subject annexation is located approximately 1.3 driving miles from the Justice Center, the Division of Police headquarters. The annexation area will be fully served with police and communications services at the same or similar level now being provided to other areas of the City with similar land use and population.

Fire and EMS. The City of Dublin will provide, cause to provide, or contract with Washington Township to provide fire protection and EMS services to this area of Dublin at the same or similar level now being provided to other areas of the City with similar land use and population. The closest Washington Township station is 1.2 driving miles away on Brand Road.

Solid Waste Collection. Residential refuse collection services are contracted by the City and will be currently provided at no additional charge.

Street Maintenance. The City's Streets and Utilities Division provides excellent service in the area of street and road maintenance. The City already maintains right-of-way near this annexation for snow and ice and will continue to do so at the same levels as other similar streets in the City.

Section 2. The City has Water and Sanitary Sewer Service Agreements with the City of Columbus, and the subject property is within the exclusive service area of the agreements. Conditioned upon the ability of the City of Columbus to provide water supply and to provide sufficient sanitary sewerage disposal capacity,

RECORD OF RESOLUTIONS

Dayton Legal Blank, Inc., Form No. 30045

55-13

Page 2 of 2

Resolution No. _____

Passed _____, 20____

sufficient public water distribution and sanitary sewer collection systems exist in this area to serve this property. Water distribution, Sanitary Sewer and Wastewater collection are available to this location at the present time.

Section 3. This resolution shall be effective immediately upon passage, as provided under Section 4.04(a) of the Revised Charter.

Passed this _____ day of _____, 2013.

Mayor - Presiding Officer

ATTEST:

Clerk of Council

NOTICE OF FILING OF ANNEXATION PETITION

TO: Anne Clarke, Dublin Council Clerk
City of Dublin
5200 Emerald Parkway
Dublin, OH 43017

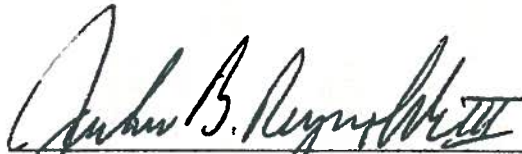
In accordance with the provisions of Section 709.03 of the Ohio Revised Code, you are hereby notified that, on the 9th day of September, 2013, the undersigned, as Agent for the Petitioners, filed an Annexation Petition in the office of the Board of County Commissioners of Franklin County, Ohio.

Said Petition prays for annexation to the City of Dublin, Ohio, of 4.6 acres, more or less, in Washington Township.

A copy of said Petition, with description and plat, is attached hereto and made a part hereof.

Dated: _____

9/9/13


Jackson B. Reynolds, III
Agent for Petitioners

RECEIPT OF THE AFOREMENTIONED DOCUMENT(S) IS HEREBY ACKNOWLEDGED
THIS 9th day of September, 2013.


CLERK'S OFFICE



Commissioners
Marilyn Brown, President
Paula Brooks
John O'Grady

Economic Development & Planning Department
James Schimmer, Director

Application for **Annexation Petition**

2

| | |
|--------------------------------|----------------------------|
| Property Information | |
| Site Address 7250 Coffman Road | |
| Parcel ID(s) 270-00762 | Total Acreage 4.6 acres |
| From Township Washington | To Municipality Dublin |

| | |
|--|-------------------|
| Property Owner Information | |
| Name Jay B. Eggspuehler | |
| Address 7250 Coffman Road Dublin, OH 43017 | |
| Phone # 221-5216 | Fax # 221-5962 |
| Email jeggspuehler@wileslaw.com | |

| | |
|--|-------------------|
| Attorney/Agent Information | |
| Name Jackson B. Reynolds, III c/o Smith & Hale LLC | |
| Address 37 West Broad Street, Suite 725 Columbus, OH 43215 | |
| Phone # 221-4255 | Fax # 221-4409 |
| Email jreynolds@smithandhale.com | |

| |
|-----------------------------------|
| Staff Use Only |
| Case # |
| Hearing date |
| Date filed |
| Fee paid |
| Receipt # |
| Notifications deadline: 5 days |
| Svc statement deadline 20 days |

| |
|--|
| Document Submission |
| The following documents must accompany this application on letter-sized 8 1/2" x 11" paper |
| <input type="checkbox"/> Legal description of property |
| <input type="checkbox"/> Map/plot of property |
| <input type="checkbox"/> List of adjacent properties |

Waiver of Right to Appeal

WHOEVER SIGNS THIS PETITION EXPRESSLY WAIVES THEIR RIGHT TO APPEAL IN LAW OR EQUITY FROM THE BOARD OF COUNTY COMMISSIONERS' ENTRY OF ANY RESOLUTION PERTAINING TO THIS SPECIAL ANNEXATION PROCEDURE, ALTHOUGH A WRIT OF MANDAMUS MAY BE SOUGHT TO COMPEL THE BOARD TO PERFORM ITS DUTIES REQUIRED BY LAW FOR THIS SPECIAL ANNEXATION PROCEDURE.

| | | | |
|----------------------|------------|----------------------|------------|
| Property Owner _____ | Date _____ | Property Owner _____ | Date _____ |
| Property Owner _____ | Date _____ | Property Owner _____ | Date _____ |

EXPEDITED TYPE II PETITION FOR ANNEXATION (SECTION 709.023)
TO THE CITY OF DUBLIN
OF 4.6 ACRES MORE OR LESS
IN THE TOWNSHIP OF WASHINGTON

TO THE BOARD OF COUNTY COMMISSIONERS
OF FRANKLIN COUNTY, OHIO:


The undersigned, petitioners in the premises, and being ALL OF THE OWNERS OF REAL ESTATE in the territory hereinafter described, consisting of 4.6 acres with a total perimeter boundary of 2,014', more or less, in the Township of Washington which area is contiguous along 721' or 36% and adjacent to the City of Dublin, do hereby pray that said territory be annexed to the City of Dublin according to the statutes of the State of Ohio and that no island of unincorporated area will be created by this annexation.

A full and accurate description and a plat of said territory so prayed to be annexed are attached hereto and made part hereof.

In support of said Petition, your petitioners state that there is/are within the territory so prayed to be annexed ONE OWNER OF REAL ESTATE.

Jackson B. Reynolds, III, whose address is 37 West Broad Street, Suite 725, Columbus, Ohio 43215, is hereby appointed Agent for the undersigned Petitioner(s), as required by Section 709.02 of the Revised Code of Ohio. Said agent is hereby authorized to make any amendment and/or deletion which in his absolute and complete discretion is necessary or proper under the circumstances then existing, and in particular to make such amendment in order to correct any discrepancy or mistake noted by the Franklin County Engineer in his examination of the Petition and Plat. Said amendment shall be made by the presentation of an amended plat and description to the Board of County Commissioners on, before, or after the date set for hearing on this Petition.

WHOEVER SIGNS THIS PETITION EXPRESSLY WAIVES THEIR RIGHT TO APPEAL IN LAW OR EQUITY FROM THE BOARD OF COUNTY COMMISSIONERS' ENTRY OF ANY RESOLUTION PERTAINING TO THE SPECIAL ANNEXATION PROCEDURE SET FORTH IN SECTION 709.023, ALTHOUGH A WRIT OF MANDAMUS MAY BE SOUGHT TO COMPEL THE BOARD TO PERFORM ITS DUTIES REQUIRED BY LAW FOR SAID SPECIAL ANNEXATION PROCEDURE.

| <u>NAME</u> | <u>DATE</u> | <u>ADDRESS</u> |
|---|-------------|------------------------------|
|  Jay B. Eggspuehler | 9-6-13 | 7250 COFFMAN RD., DUBLIN, OH |
| _____ | _____ | _____ |
| _____ | _____ | _____ |
| _____ | _____ | _____ |
| _____ | _____ | _____ |

RECEIVED

ANNEXATION
PLAT & DESCRIPTION
ACCEPTABLE
DEAN C. RINGLE, P.E., P.S.
FRANKLIN COUNTY ENGINEER

By BB Date 9/30/13

PROPOSED ANNEXATION
4.6+/- ACRES

RECEIVED

AUG 30 2013

Franklin County Engineer
Dean C. Ringle, P.E., P.S.

FROM: WASHINGTON TOWNSHIP

TO: CITY OF DUBLIN

Situated in the State of Ohio, County of Franklin, Township of Washington, lying in Virginia Military Survey Number 2543 and being all of that 4.663 acre tract conveyed to Jay B. Eggspuehler by deed of record in Instrument Number 201308280146516 (all references refer to the records of the Recorder's Office, Franklin County, Ohio), and being described as follows:

BEGINNING at a common southerly corner to said 4.663 acre tract and that 6.342 acre tract conveyed to Lee A. Jenkins, Trustee and David R. Jenkins Trustee by deed of record in Deed Book 3678, Page 220, being a northerly corner of Lot 12 of that subdivision entitled "The Woods of Indian Run" of record in Plat Book 76, Page 9 and being on an existing northerly City of Dublin Corporation line, as established in Ordinance Number 22-86 and recorded in Official Record 11893C04;

thence westerly, with the southerly line of said 4.663 acre tract, a northerly line of said "The Woods of Indian Run" and said existing Corporation Line (22-86), a distance of approximately 721 feet to a point at the common southerly corner to said 4.663 acre tract and the remainder of that 7.057 acre tract conveyed to Jay B. Eggspuehler by deed of record in Official Record 21629A01;

thence northerly, with a common line to said 4.663 acre tract and the remainder of said 7.057 acre tract, a distance of approximately 310 feet to a point at a common northerly corner to said 4.663 acre tract and the remainder of said 7.057 acre tract and being on the southerly line of that 6.679 acre tract conveyed to Albert A. Gabel Trustee and Lucille A. Gabel Trustee by deed of record in Instrument Number 200206070142618;

thence easterly, with a common line to said 4.663 acre and 6.679 acre tracts, a distance of approximately 733 feet to a point at the common easterly corner to said 4.663 acre and 6.679 acre tracts and being at a westerly corner of said 6.342 acre tract;

thence southerly, with the easterly line of said 4.663 acre tract and a westerly line of said 6.342 acre tract, a distance of approximately 250 feet to the POINT OF BEGINNING, and containing 4.6 acres of land, more or less.

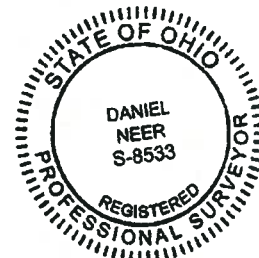
This description was prepared for annexation purposes only, and is NOT to be used for deed transfer.

EVANS, MECHWART, HAMBLETON & TILTON, INC.


Daniel A. Neer
Registered Surveyor No. 8533

8/30/13
Date

DAN
4_6 ac 20130856-VS-ANNX



David R & Lee A Jenkins
5071 Brand Road
Dublin, OH 43017
270-000025

LDS Church Real Estate Div.
50 East North Temple
Salt Lake City, UT 84150
273-001046

Scott T & Rachael P Binder, Co-Trs.
5294 Forest Run Drive
Dublin, OH 43017
273-005987

Robert A II & Holly M Judson
5276 Forest Run Drive
Dublin, OH 43017
273-005990

Mukaddes & Erdem Gunn
5258 Forest Run Drive
Dublin, OH 43017
273-005993

Andrew Paul & Carly Marie Dendinger
5240 Forest Run Drive
Dublin, OH 43017
273-005996

Colleen M & Jonathan L Reynolds
5222 Forest Run Drive
Dublin, OH 43017
273-005999

Lucille A & Albert A Gabel
7190 Coffman Road
Dublin, OH 43017
270-000274

John M & Dawn M Mcadow
5301 Earlington PW
Dublin, OH 43017
273-002937

Todd M & Denise A Howe
5288 Forest Run Drive
Dublin, OH 43017
273-005988

Daniel C & Amy E Skuce
5270 Forest Run Drive
Dublin, OH 43017
273-005991

Joan M Wintermantel
5252 Forest Run Drive
Dublin, OH 43017
273-005994

Dennis D Liston
5234 Forest Run Drive
Dublin, OH 43017
273-005997

Floyd S E Bostic
7143 Coffman Road
Dublin, OH 43017
273-000427

Dublin Baptist Church
7195 Coffman Road
Dublin, OH 43017
273-003145

Donald J & Sharon L Filibeck
5282 Forest Run Drive
Dublin, OH 43017
273-005989

Joseph A & Kathryn A Malagisi
5264 Forest Run Drive
Dublin, OH 43017
273-005992

Munjal R & Rupa M Sanghavi
5246 Forest Run Drive
Dublin, OH 43017
273-005995

Reddy Ballakrishna
5228 Forest Run Drive
Dublin, OH 43017
273-005998

ANNEXATION OF 4.6± ACRES TO THE CITY OF DUBLIN FROM WASHINGTON TOWNSHIP VIRGINIA MILITARY SURVEY NO. 2543 TOWNSHIP OF WASHINGTON, COUNTY OF FRANKLIN, STATE OF OHIO

ALBERT A. GABEL TR. AND
LUCILLE A. GABEL TR.
6.678 AC.
L.N. 2002060701+2818

JAY B. EGGSPUENLER
7.057 AC.
O.R. 21629401

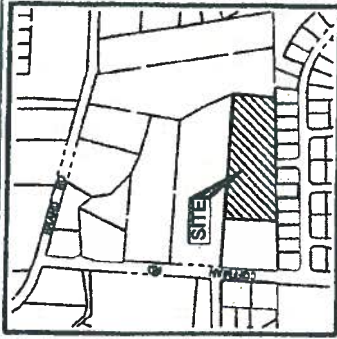
P.N. 270-000287

JAY B. EGGSPUENLER
4.683 AC.
L.N. 201308280146516

4.6± AC.

P.N. 270-000762

LEE A. JENKINS, TR. AND
DAVID R. JENKINS TR.
8.342 AC.
O.B. 3678, P. 223



LOCATION MAP AND BACKGROUND DRAWING
NOT TO SCALE

Washington Township
P.O.B.
302813
Franklin County Engineer
Dean C. Hays, P.E. P.S.

Washington Township

P.O.B.

12

11

10

9

8

7

6

5

4

3

City of Dublin
Ordinance No. 11853204
P.B. 76, P. 9

THE WOODS OF INDIAN RUN
P.B. 76, P. 9

NATURE DRIVE

Washington Township

Washington Township

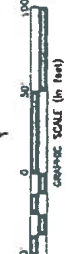
ANNEXATION
PLAN & DESCRIPTION
ACCEPTED FOR
RECORD
FRANKLIN COUNTY ENGINEER
Dean C. Hays, P.E. P.S.
Date: 9/12/12

By: David A. Hays
David A. Hays
Professional Surveyor No. 8533
Date: 9/12/12

AREA TO BE ANNEXED
EXISTING CITY OF DUBLIN CORPORATION L.I.M.

Confidential Note:
Total perimeter of annexation area is 2014 feet, of which 721 feet
is contiguous with the City of Dublin by Ordinance Number
22-96, giving 36% perimeter contiguity.

Note:
This annexation does not cover islands of unincorporated
area within the limits of the area to be annexed.



| | |
|-------------|--------------------------|
| DATE | July 10, 2013 |
| SCALE | 1" = 50' |
| APPROVED | July 10, 2013 - 0858 |
| PROJECT | ANNEXATION OF 4.6± ACRES |
| PREPARED BY | FRANKLIN COUNTY ENGINEER |
| DATE | 1 of 1 |